

FILED 11 JUN 14 12:20 USDC-ORM

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ROBERT G. ANGELINI, JR.,  
et al.,  
Plaintiffs,

Case No. 1:11-cv-03011-CL

v.

BANK OF AMERICAN d/b/a RECONTRUST  
CO., a wholly owned subsidiary,

**ORDER**

Respondent.

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**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I agree with Magistrate Judge Clarke that the complaint is deficient and must be dismissed. I also agree that plaintiffs, who are representing themselves, should be allowed to file an

amended complaint. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#10) is adopted. Defendants' request for judicial notice (#5) is granted in part and denied in part. Defendants' motion to dismiss (#3) is granted. Plaintiffs' request for leave to file an amended complaint is granted, subject to the limits set by the Report and Recommendation.

IT IS SO ORDERED.

DATED this 14 day of June, 2011.

A handwritten signature in black ink, appearing to read "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE